

ORDINANCE No.\_\_\_\_, SERIES 2009

**AN ORDINANCE AMENDING THE PROVISIONS OF  
CHAPTER 153 OF LOUISVILLE/JEFFERSON COUNTY  
METRO GOVERNMENT CODE OF ORDINANCES (LMCO)  
RELATING TO THE TIME AND LOCATION OF PLANNING  
COMMISSION AND BOARD OF ZONING ADJUSTMENT  
HEARINGS.**

**Sponsored by: Councilman James Peden**

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (Metro Council) understands that citizens of Louisville Metro are entitled to reschedule a hearing before the Planning Commission to a more convenient time and location upon receipt of a petition seeking that result, and,

WHEREAS, the Metro Council wishes to afford the same opportunities for all matters that come before the Planning Commission in a public hearing or meeting context, as well as to matters that come before the Board of Zoning Adjustment, and,

WHEREAS, the Metro Council wishes to amend Chapter 153 of the LMCO to bring about this opportunity,

**BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE  
LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS  
FOLLOWS:**

**SECTION I:** LMCO Chapter 153 is hereby re-enacted and amended as follows:

**§ 153.03 TIME AND LOCATION OF PLANNING COMMISSION AND BOARD OF  
ZONING ADJUSTMENT PUBLIC HEARINGS AND MEETINGS.**

(A) When public hearing or public meeting dates are set by the Louisville Metro Planning Commission or Board of Zoning Adjustment, certain requirements must be followed in addition to procedures already in place.

(B) If the hearing or meeting has been scheduled at the Planning Commission or Board of Zoning Adjustment regular place of business, and, if within 15 days of the scheduled hearing date the Commission or Board shall receive a petition from 300 or more property owners living within the affected Metro Council district and/or adjacent Council districts requesting that the hearing or meeting be rescheduled for a time after 6:00 p.m. at a convenient location, then the Planning Commission or Board of Zoning Adjustment shall reschedule the hearing or meeting.

(C) Should the Planning Commission or Board of Zoning Adjustment find the aforesaid necessary petition to be defective in any manner or if the Planning Commission or Board of Zoning Adjustment is unable to reserve a suitable location for the hearing or meeting within four calendar weeks after the originally scheduled hearing or meeting date, then the Planning Commission or Board of Zoning Adjustment may hold the hearing or meeting at ~~their~~ its regular place of business but after 6:00 p.m.

SECTION II: This Ordinance shall take effect on passage and approval.

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Kathleen J. Herron  
Metro Council Clerk

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David W. Tandy  
President of the Council

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Jerry Abramson  
Mayor

Approved: \_\_\_\_\_  
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_